

Dean T. Kirby, Jr., Bar No. 090114
KIRBY & McGUINN, A P.C.
600 B Street, Suite 1950
San Diego, CA 92101-4515
Telephone: (619) 685-4000
Facsimile: (619) 685-4004
dkirby@kirbymac.com

Louis W. Diess, III
McCARRON & DIESS
4900 Massachusetts Ave., N.W., Suite 310
Washington, D.C. 20016
Telephone: (202) 364-0400
Facsimile: (202) 364-2731
ldiess@mccarronlaw.com

Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

CHIQUITA FRESH, N.A., L.L.C.

Plaintiff

v.

SAMMY'S PRODUCE, INC., et al

Defendants

:
:
:
:
:
:
:
:
:
:
:

Civil Action No: 08-CV714 JLS(POR)

PROOF OF SERVICE

I, Tina Floros, declare under penalty of perjury that the following facts are true and correct:

I am a resident of the State of California and over the age of 18 years and not a party to or interested in the within entitled cause. I am an employee of KIRBY & McGUINN, A P.C., and my business address is 600 B Street, Suite 1950, San Diego, California 92101. On April 21, 2008, I served the following document(s):

- APPLICATION FOR TEMPORARY RESTRAINING ORDER WITH NOTICE;
- MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF PLAINTIFF'S APPLICATIONS FOR TEMPORARY RESTRAINING ORDER WITH NOTICE AND PRELIMINARY INJUNCTION
- DECLARATION IN SUPPORT OF APPLICATIONS FOR TEMPORARY RESTRAINING ORDER WITH NOTICE AND PRELIMINARY INJUNCTION; and
- [PROPOSED] TEMPORARY RESTRAINING ORDER

■ **PERSONAL SERVICE:** will be personally served on all Defendants via professional personal process service addressed as shown below:

Sammy's Produce, Inc.
c/o Lawrence Taggart, Agent for Service of Process
1521 Kimberly Woods Drive.
El Cajon, CA 92020

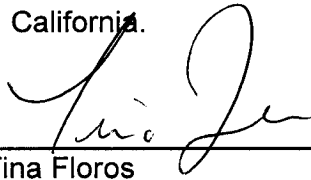
Yan Skwara
1635 Rosencrans Street, Suite D
San Diego, CA 92106

Samuel V. Nucci
1635 Rosencrans Street, Suite D
San Diego, CA 92106

Darin Pines
1635 Rosencrans Street, Suite D
San Diego, CA 92106

I declare under penalty of perjury under the laws of the United States that the above is true and correct.

Executed on April 19, 2007, at San Diego, California.



Tina Floros